
REGULATIONS

For information concerning the different types of regulations, see the Information Page.

Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text.
Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Final Regulation

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with §2.2-4006 A 4 c of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The State Air Pollution Control Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 9VAC5-20. General Provisions (amending 9VAC5-20-203, 9VAC5-20-204).

Statutory Authority: §10.1-1308 of the Code of Virginia; §§110 and 182 of the Clean Air Act; 40 CFR Part 51.

Effective Date: December 12, 2007.

Agency Contact: Karen G. Sabasteanski, Policy Analyst, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone 804-698-4426, FAX 804-698-4510, TTY 804-698-4021, or email kgsabastea@deq.virginia.gov.

Summary:

The amendments revise the geographic delineation of the nonattainment and maintenance areas by removing the Hampton Roads and Richmond areas from the list of eight-hour ozone nonattainment areas (9VAC5-20-204) and adding them to the list of maintenance areas (9VAC5-20-203).

The Hampton Roads eight-hour ozone nonattainment area (counties of Gloucester, Isle of Wight, James City, and York; cities of Chesapeake, Hampton, Newport News, Portsmouth, Poquoson, Norfolk, Suffolk, Virginia Beach, and Williamsburg) and the Richmond eight-hour ozone nonattainment area (counties of Charles City, Chesterfield, Hanover, Henrico, and Prince George; cities of Colonial Heights, Hopewell, Petersburg, and Richmond) have been deleted from the list of nonattainment areas.

9VAC5-20-203. Maintenance areas.

Maintenance areas are geographically defined below by locality for the criteria pollutants indicated.

1. Ozone.

Fredericksburg Ozone Maintenance Area.

Spotsylvania County
Stafford County
Fredericksburg City

Hampton Roads Ozone Maintenance Area.

Gloucester County
Isle of Wight County
James City County
York County
Chesapeake City
Hampton City
Newport News City
Norfolk City
Poquoson City
Portsmouth City
Suffolk City
Virginia Beach City
Williamsburg City

Richmond Ozone Maintenance Area.

Charles City County*
Chesterfield County
Hanover County
Henrico County
Prince George County
Colonial Heights City
Hopewell City
Petersburg City
Richmond City

~~*Beginning at the intersection of State Route 156 and the Henrico/Charles City County Line, proceeding south along State Route 5/156 to the intersection with State Route 106/156, proceeding south along Route 106/156 to the intersection with the Prince George/Charles City County line, proceeding west along the Prince George/Charles City County line to the intersection with the Chesterfield/Charles City County line, proceeding north along the Chesterfield/Charles City County line to the intersection with the Henrico/Charles City County line, proceeding north along the Henrico/Charles City County line to State Route 156.~~

Regulations

Shenandoah National Park Ozone Maintenance Area.

Madison County (portions located in Shenandoah National Park)

Page County (portions located in Shenandoah National Park)

2. Carbon monoxide.

Northern Virginia Carbon Monoxide Maintenance Area.

Arlington County

Alexandria City

3. All other pollutants.

None.

9VAC5-20-204. Nonattainment areas.

A. Nonattainment areas are geographically defined below by locality for the criteria pollutants indicated. Following the name of each ozone nonattainment area, in parentheses, is the classification assigned pursuant to §181(a) of the federal Clean Air Act (42 USC §7511(a)) and 40 CFR 51.903(a).

1. Ozone (1-hour).

Northern Virginia Ozone Nonattainment Area (severe).

Arlington County

Fairfax County

Loudoun County

Prince William County

Stafford County

Alexandria City

Fairfax City

Falls Church City

Manassas City

Manassas Park City

2. Ozone (8-hour).

Northern Virginia Ozone Nonattainment Area (moderate).

Arlington County

Fairfax County

Loudoun County

Prince William County

Alexandria City

Fairfax City

Falls Church City

Manassas City

Manassas Park City

~~Hampton Roads Ozone Nonattainment Area (marginal).~~

~~Gloucester County~~

~~Isle of Wight County~~

~~James City County~~

~~York County~~

~~Chesapeake City~~

~~Hampton City~~

~~Newport News City~~

~~Poquoson City~~

~~Portsmouth City~~

~~Norfolk City~~

~~Suffolk City~~

~~Virginia Beach City~~

~~Williamsburg City~~

~~Richmond Ozone Nonattainment Area (marginal).~~

~~Charles City County~~

~~Chesterfield County~~

~~Hanover County~~

~~Henrico County~~

~~Prince George County~~

~~Colonial Heights City~~

~~Hopewell City~~

~~Petersburg City~~

~~Richmond City~~

3. PM_{2.5} (particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers).

Northern Virginia PM_{2.5} Nonattainment Area.

Arlington County

Fairfax County

Loudoun County

Prince William County

Alexandria City

Fairfax City

Falls Church City

Manassas City

Manassas Park City

4. All other pollutants.

None.

B. Subdivision A 1 of this section shall not be effective after June 15, 2005.

VA.R. Doc. No. R08-817; Filed October 15, 2007; 2:57 p.m.